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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Joint written statement* submitted by the Union of Arab Jurists, Arab Organization for Human Rights, General Arab Women Federation, Indian Movement "Tupaj Amaru", International Volunteerism Organization for Women, Education and Development - VIDES, Nord-Sud XXI - North-South XXI, Organisation Mondiale des associations pour l'éducation prénatale, Organisation pour la Communication en Afrique et de Promotion de la Cooperation Economique Internationale - OCAPROCE Internationale, United Towns Agency for North-South Cooperation, Women's International League for Peace and Freedom, non-governmental organizations in special consultative status, Indian Council of South America (CISA), International Educational Development, Inc., International Human Rights Association of American Minorities (IHRAAM), World Peace Council, non-governmental organizations on the roster

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[02 June 2014]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

Violations of the Right to Peaceful Assembly, Freedom of Opinion and Expression in Iraq[1] *

Since the beginning of 2014, human rights violations by the Iraqi authorities became more serious, systematic and widespread in regards especially to right to peaceful assembly, freedom of opinion and expression. In blatant violation of the international standards the government responded to peaceful protests with excessive and inadequate use of force, including administrative obstacles and the use of military force, politically motivated threats and attacks against media institutions and those journalists who report on protests or advocate human rights.
The ruthless military attacks against civilian demonstrators by the government forces are in serious violation of all fundamental human rights and must immediately be put to an end.

Peaceful protests in Iraq and the Iraqi government's response

Iraq has been the scene of intensive peaceful demonstrations during 2010-2014. Despite the existing international standards setting forth freedom of assembly and expression, the government has responded to peaceful protests with excessive use of force. Though, a joint committee was established by the government in early 2013 with a mandate to investigate the demonstrators' demands; however, it failed to render any result up to this day. In August 2013, the Interior Ministry officials refused to issue permits for two concurrent groups organising demonstrations, without providing them a reason. Moreover, media organisations and journalists who report on protests or advocated human rights are regularly further targets of politically motivated threats and attacks.
Although Article 38 (3) of the Iraqi constitution guarantees the right to freedom of assembly and demonstrations, the Ministry of Interior has yet to approve every request for any planned peaceful demonstration. In August 2013, the Ministry of Interior stated that he was aware of the planned peaceful demonstration; however, he demanded the postponement while warning the organisers of possible "terrorist attacks" and the importance of national security. This pretext of the alleged terrorist attacks has been continuously used to postpone, cancel or prohibit demonstrations as well as arbitrarily detain protesters and convict them on "terrorist charges". This is an important issue which is directly linked to the Anti-Terrorism Law No.13 of 2005. This law is the main pretext for targeting and restricting peaceful protests.
The peaceful protests demanded the provision of basic services and the end of corruption and human rights violations. In general, the demonstrations were in response to an increased frustration with the deteriorating conditions that Iraqis are forced to endure on a daily basis. The protests started through the discovery of the ill-treatment of female prisoners.

Attacks on Demonstrations

Throughout Iraq people were enraged at the Maliki government because his security forces, still heavily staffed by members of various militias, were killing or detaining their compatriots from the region, as well as across much of Baghdad. As of December 2012, angry protesters in Anbar, Nineveh, Ta'mim, Salaheldin, Diyla, and other places, took to the streets every Friday, holding signs that read, "We demand an end to checkpoints surrounding our cities", "We demand they end their unlawful home raids and detentions", " We demand an end to federalism and gangsters and secret prisons!"[2]
In January of 2013, the Iraqi army officers opened fire on peaceful demonstrators in Mosul. The Governor of Nineveh province confirmed that security forces shot at demonstrators in an attempt to disperse them. Civilians who simply attempted to reach the peaceful protests in Mosul were pursued and targeted by army officers.[3] On 25 January 2013, a peaceful sit-in protest in Fallujah was interrupted by open fire from army forces killing a total of 9 and injuring over 60 additional civilians. Witnesses claim that the security forces fired directly at the peaceful protesters.
One of the most tragic cases of the government's restrictions on these fundamental rights of freedom of assembly was seen in April 2013 in Al-Hawija, during which over 200 protesters were killed, wounded or arrested. Over a period of several days in April 2013, around 4000 peaceful demonstrators protested against the government's repeated disrespect

[1] - Report prepared by Geneva International Centre for Justice (GICJ)
[2] http://truth-out.org/news/item/22138-iraqi-government-killing-civilians-in-fallujah
[3] Al-Jazeera video can be found at: http://www.youtube.com/watch?v=6b0ybuS5hAQ&feature=youtu.be

for human rights in the Hawija/ Ta'mim (Kirkuk) province in Iraq. At a certain point during the demonstrations, the protesters found themselves surrounded by armed governmental troops that prevented all access to food, water and medical aid. Access to all forms of media including journalists and news casters were also prevented and their equipment confiscated. The army and militias stormed the area and attacked the peaceful protesters who were authorised by the mayor of Kirkuk to hold these demonstrations.[4]
. Instead of answering to the justified demands of demonstrators and improving its human rights record the measures undertaken by the government of Iraq became increasingly draconian.

Operation in the province of Anbar

In December 2013, the army troops launched an operation in the province of Anbar, where some Al-Qaeda camps are said to be located in the desert. Based on the fact that the majority of the population in the area has always been as much in the opposition to al-Qaeda as they had been against the occupation, several tribe leaders expressed their willingness to support this fight against the notorious terrorist organisation. Suddenly the army moved close to the cities and turned against the protesters, claiming that they were not just a place for recruiting terrorist but for sheltering them too,[5] a claim that was totally rejected by the residents, who been assured that there are no foreigners involved in the uprisings and offered that the government troupes may come into the protest camps and search without being harassed.
Nevertheless on December 28, 2013 the situation escalated with the violent arrested of a senior MP from Al-Anbar, and he is the Chair of the Iraqi Parliament's Economics committee – Dr Ahmad Alwani. An assault force of 50 armored vehicles, helicopter gunships and hundreds of heavily armed troops killed 9 members of his family and arrested him and over 150 of his staff on baseless charges of terrorism. Dr Alwani has been a key critic of Maliki and of Iranian meddling in Iraq.
On the 30th of December 2013 the protest camps were stormed. When no terrorists were found it was casually suggested that in the terrorists had probably escaped. Such rhetoric is typical for the current Iraqi government, which commonly labels all its opposition as terrorists, claiming that they are active members of Al Qaeda. This is although those Al Qaeda fighters who had indeed infiltrated Ramadi had quickly been driven out by the locals themselves.
In the wake of January 2, 2014 then the 600.000 residents of Fallujah found themselves encircled by government forces. This time it was claimed that Al Qaeda and ISIL had taken over the city. Indeed some people wearing such badges were seen, who set police stations on fire and encountered strong resistance from the local residents, who drove them out. In this context, as a side note, it needs to be mentioned that contrary to what would have to be expected if these people had been affiliated to extremist groups witnesses testified that these persons had come with modern military vehicles and left the city undisturbed despite the siege of the governmental army.
During the days following these incidents the residents of Fallujah then publicly declared several times that the city had not been taken over by terrorist, yet the official rhetoric by the Iraqi government did not change. According to local estimation and UN figures the total number of displaced persons stand at around 450.000. Deaths in Anbar Province are now being excluded from Iraq government statistics.[6] According to the hospital in Fallujah the civilian casualties since the beginning of 2014 until May is about 1,296 wounded and 295 killed. These figures are not exclusive as there is much causality which can't be reported to the hospital due to the security situation. Normal services such as clean water, constant electricity are non-existent. Given the power interruptions and tense situation, the full numbers are incomplete.
Doctors, residents and NGO workers in Fallujah are accusing the Iraqi government of "war crimes" and "crimes against humanity" that have occurred as a result of its ongoing attack on the city. "Many houses and have been attacked, and many civilians killed and injured," one doctor said. "Many people have been killed before they could reach the hospital, which has also been targeted by Maliki's army." Several doctors were prevented from entering the city. "What is happening in Fallujah is a war crime," the doctor further explained. "Believe me that there have never been any official nor military targets attacked by Maliki's army. Civilians are the only target."[7]

4http://www.nytimes.com/2013/04/24/world/middleeast/clashes-at-sunni-protest-site-in-iraq.html?pagewanted=all&_r=0

[5] Arab Centre for Research and Policy Studies at: http://english.dohainstitute.org/release/05adf2f2-29bc-4b67-a115-b37a0476b365

[6] http://www.globalresearch.ca/iraq-sixty-nine-days-in-fallujah-general-hospital-emergency-department/5380996

[7] http://truth-out.org/news/item/22138-iraqi-government-killing-civilians-in-fallujah

Recommendations

- The UN and the Human Rights Council to ensure that all human rights violations committed in Iraq since 2003 to be investigated by an international independent body;
- The reinstatement of the position of a Special Rapporteur for Iraq.
- The Special Rapporteur on the Rights to Freedom of Peaceful Assembly and Association and on the Freedom of Opinion to submit a detailed report to the HRC on respective violations;
- To halt any military aid to the Iraqi government until the human rights investigation by an independent body is finalised.

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* Geneva International Centre for Justice (GICJ), BRussels Tribunal, Arab Lawyers Association- UK, Association of Humanitarian Lawyers (AHL), The International League of Iraqi Academics (ILIA), The Iraqi Commission on Human Rights (ICHR), Women Will Association (WWA), Organization for Widows and Orphans (OWO), Ikraam Center for Human Rights, Belgian Peace Movement, Ligue camerounaise des droits de l'homme, Monitoring Net of Human Rights in Iraq (MHRI), Women Solidarity for an Independent and Unified Iraq, Alliance to Renew Co-operation among Humankind, International Coalition against War Criminals (ICAWC), Medical Aid for the Third World, Association of Iraqi Diplomats (AID), The African Association of Human Rights (AAHR), Protection of Human Rights Defenders in the Arab World, Moroccan Association for the Right to a Fair Trial, Americans Against the War (France), General Federation of Iraqi Women (GFIW), The International Action Center (IAC), American Worker, Association of Iraqi Intellectuals and Academics, The International Network of Arab Human Rights NGOs, America In Solidarity, Federacion De Mujeres Cubanas, Association of Victims of American Occupation Prisons, International Anti-Occupation Network (IAON), International Lawyers.org, International Society of Iraqi Scientists, The Perdana Global Peace Foundation, Kuala Lumpur Foundation to Criminalise War, Spanish Campaign against the Occupation and for Iraq Sovereignty- CEOSI, Arab Cause Solidarity Committee, Iraq Solidarity Association in Stockholm, El Taller International, World Courts of Women, Center for Development Studies- India, Wariscrime.org, Action Center for Justice, 1% A Peace Army.org, A Bigger Tent.org, Agir contre la guerre (France), American Voices Abroad (Berlin, Germany), American Voices Abroad Military Project (Europe), Anti War Fair, Arizona Christian Peacemakers, Armbands for Peace, Arms Against War, Artists Against the War, Backbone Campaign, Be the Change, Become Active, Bike for Peace (Germany), Bill of Rights Defense Committee, Bird Dogger Org., Children of Iraq Association (UK),Bloomington Peace Action Coalition (IN), Blue State News Only, Boston Mobilization, Bring Democracy Back, Bring Them Home,Butterfly Gardeners Association, Citizens for Accountability on Iraq, California for Democracy, Camp Casey Blog, Camp U.S. Strike for Peace Campaign, Campaign Against Sanctions and Military Intervention in the Islamic Republic of Iran, Canada Watch, Carolina Peace Resource Center (SC), Cartoon Free America, Catalysts of Hope, Central Colorado Coalition on the Iraq War, Chester County Peace Movement (PA), Cindy Sheehan Org., Cities for Peace, Citizens for Legitimate Government, Citizens for Peace & Justice, Human Rights for all-Morocco, Christian Clergy For Impeachment.com, Clothing of the American Mind, Coalition Against Election Fraud, Coalition for Impeachment Now (COIN), Code Pink, the Iraqi Association for Human Rights (IAHR), Al-Basa'er Media Association, Consumers for Peace.org, Dhafir Trial.org, DC Anti-War Network.org, Democracy Action, Democracy for America Meetup (Birmingham, AL), Olympia Citizens' Movement to Impeach Bush/Cheney (WA), One Million Reasons, Operation Cease Fire, Operation Impeachment, Orange County Grassroots (CA), Out of Iraq, Out of Iraq Bloggers Caucus, Patrick Henry Democratic Club, Patriotic Pulse, Patriots for Gore, Peace Action, Peace Action Wisconsin, Peace and Accountability, Peace Drum, Peace Majority, Peace Movement Aotearoa (New Zealand), Peace Reso.org, Peninsula Peace and Justice Center (Palo Alto, CA), People's Campaign for the Constitution, People Powered Impeachment, People's Email Network, People's Glorious Five Year Plan, Picnic to Impeach, Pixel4Peace.org, Playing in Traffic,

PledgeToImpeach.org, Political Cooperative, Politics and Art, Progressive Action Alliance, Progressive Action Center, Progressive Avenues, Progressive Democrats of America, Progressive Democrats of Hawaii Project Filibuster, Project for the OLD American Century, Refusing to Kill.org, Rescue Our Democracy, Sacramento for Democracy (CA), St Pete for Peace (FL), Sampsonia Way, San Diego for Democracy, School of the Americas Watch, Sheehan for Congress, South Florida Impeachment Coalition, South Mountain Peace Action (Maplewood & South Orange, NJ), Springs Action Alliance (CO), Stop the War Coalition (UK), Students for Impeachment, Students Towards a New Direction (STAND), Summit County Progressive Democrats (OH), The Known UnKnowns, The Politically Incorrect Cabaret, The Rational Response Squad, Think Blue Dems, Time for Accountability, Toronto Coalition to Stop the War (Canada), Torture Abolition and Survivors Support Coalition International, True Blue Liberal.org, Trumansburg Impeachment (NY), Truth Empowered, Truthtelling Project, UC Nuclear, Underground Action Alliance, Unitarian Universalist Peace and Justice Group (Nantucket, MA), United Blue USA, United for Veterans (Wayne, MI), United Progressives, Upbeat Defiance, US Peace Memorial, US Tour of Duty: Iraq Veterans and Military Families Demand the Truth, Velvet Revolution, Vet Gulf March, Veteran Intelligence Professionals for Sanity, Veterans for Peace, Chapter 27, Virginia Grassroots Coalition, Voters for Peace, We the People for Peace, We the People Network, We the People Now, We The People United Bangladesh.org, Peace Surge, Peace and Justice Action League of Spokane (WA), Stop the War (UK), U.S. Peace Council, World Can't Wait.org, World Prout Assembly, Komite Internazionalista-Basque, Asociación Paz, Igualdad y Solidaridad Internacional, Arab Cause Solidarity Committee, Iraq Solidarity Association in Stockholm, Málaga, Spain, Stop Fascism Action Network, The Asian Jurists Centre, Association of Human Rights Defenders in Iraq (AHRDI), The African Center for Human Rights (ACHR), Veterans for Peace, Your Declaration of Independence.org , Arab Lawyers Network-UK, Conservative Centre of Environmental & Reserves in Fallujah (CCERF), Willie Nelson Peace Research Institute, Studies Centre for Human Rights and Democracy, The Iraqi Centre for Human Rights, Association internationale des droits de l'homme, NGO(s) without consultative status, also share the views expressed in this statement. NGO(s) without consultative status, also share the views expressed in this statement.